

HOUSE BILL 802

R7

11r2403

By: **Delegate Stocksdales**

Introduced and read first time: February 11, 2011

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Required Security – Provision of Evidence**

3 FOR the purpose of requiring an operator of a vehicle that a police officer detains for
4 certain suspected violations, on request, to provide certain information
5 regarding required vehicle security to the police officer; authorizing a police
6 department to take into custody certain vehicles for which certain persons fail
7 to provide evidence of required security; making certain stylistic changes; and
8 generally relating to the provision of evidence of required vehicle security.

9 BY repealing and reenacting, without amendments,
10 Article – Transportation
11 Section 17–103 and 17–104(b)
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2010 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Transportation
16 Section 17–109 and 25–203
17 Annotated Code of Maryland
18 (2009 Replacement Volume and 2010 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Transportation**

22 17–103.

23 (a) (1) Except as provided in paragraph (2) of this subsection, the form of
24 security required under this subtitle is a vehicle liability insurance policy written by
25 an insurer authorized to write these policies in this State.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) The Administration may accept another form of security in place of
2 a vehicle liability insurance policy if it finds that the other form of security adequately
3 provides the benefits required by subsection (b) of this section.

4 (3) The Administration shall, by regulation, assess each self-insurer
5 an annual sum which may not exceed \$750, and which shall be used for actuarial
6 studies and audits to determine financial solvency.

7 (b) The security required under this subtitle shall provide for at least:

8 (1) The payment of claims for bodily injury or death arising from an
9 accident of up to \$30,000 for any one person and up to \$60,000 for any two or more
10 persons, in addition to interest and costs;

11 (2) The payment of claims for property of others damaged or destroyed
12 in an accident of up to \$15,000, in addition to interest and costs;

13 (3) Unless waived, the benefits described under § 19-505 of the
14 Insurance Article as to basic required primary coverage;

15 (4) The benefits required under § 19-509 of the Insurance Article as to
16 required additional coverage; and

17 (5) For vehicles subject to the provisions of § 25-111.1 of this article,
18 the security requirements adopted under 49 C.F.R., Part 387.

19 17-104.

20 (b) The owner of a motor vehicle that is required to be registered in this
21 State shall maintain the required security for the vehicle during the registration
22 period.

23 17-109.

24 (a) **(1)** A person who receives a warning letter under Title 16, Subtitle 4 of
25 this article as a result of point accumulation shall submit evidence that any vehicle
26 registered in the person's name, individually or jointly, has been continuously covered,
27 since the notice date of the point accumulation warning letter, by the security required
28 under this subtitle.

29 **[(b)] (2)** The evidence of security shall be submitted to the Administration
30 within 30 days of the request on a form prescribed by the Administration and certified
31 by an insurer or insurance producer.

32 **(B) AN OWNER OR OPERATOR OF A VEHICLE THAT A POLICE OFFICER**
33 **DETAINS FOR A SUSPECTED VIOLATION OF ANY PROVISION OF THE CODE, ON**

1 REQUEST, SHALL PROVIDE THE FOLLOWING INFORMATION TO THE POLICE
2 OFFICER:

3 (1) THE NAME AND ADDRESS OF THE INSURANCE CARRIER OR
4 OTHER PROVIDER OF SECURITY FOR THE OWNER OR OPERATOR;

5 (2) THE POLICY OR OTHER IDENTIFYING NUMBER OF THE
6 LIABILITY INSURANCE OR OTHER SECURITY, IF IT IS AVAILABLE;

7 (3) THE NAME AND ADDRESS OF THE LOCAL INSURANCE
8 PRODUCER OR LOCAL OFFICE OF THE INSURANCE CARRIER OR OTHER
9 PROVIDER OF SECURITY, IF IT IS AVAILABLE; OR

10 (4) ANY OTHER EVIDENCE OF VEHICLE SECURITY.

11 25-203.

12 (a) (1) A police department may take [any abandoned vehicle] THE
13 FOLLOWING VEHICLES into custody:

14 (I) AN ABANDONED VEHICLE; OR

15 (II) A VEHICLE THAT A POLICE OFFICER DETAINS FOR A
16 SUSPECTED VIOLATION OF ANY PROVISION OF THE CODE IF THE OWNER OR
17 OPERATOR OF THE VEHICLE FAILS TO PROVIDE EVIDENCE THAT THE VEHICLE
18 IS COVERED BY THE SECURITY REQUIRED UNDER TITLE 17, SUBTITLE 1 OF THIS
19 ARTICLE.

20 (2) For [this purpose] THE PURPOSES OF THIS SUBSECTION, the
21 police department may use its own personnel, equipment, and facilities or, subject to
22 [the provisions of] subsection (b) of this section, use other persons, equipment, and
23 facilities for removing, preserving, and storing abandoned vehicles.

24 (b) A police department may not authorize the use of a tow truck under
25 subsection (a) of this section unless the tow truck is registered under § 13-920 of this
26 article.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2011.